

REMARKS

This Application has been carefully reviewed in light of the Office Action mailed March 12, 2004. Applicants appreciate the Examiner's consideration of the Application. Claims 10, 11, 24, and 27 have been amended to clarify, more particularly point out, and more distinctly claim inventive concepts previously present in these claims. These amendments are not considered necessary for patentability. Applicants respectfully submit that no new matter has been added by the amendments to the claims. In order to advance prosecution of this Application, Applicants have responded to each notation by the Examiner. Applicants respectfully request reconsideration and favorable action in this case.

Section 103 Rejection

The Examiner rejects Claims 1-5 and 10-27 under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 6,038,601 to Lambert et al. ("*Lambert*") in view of U.S. Patent No. 6,553,409 to Zhang et al. ("*Zhang*"). Applicants respectfully traverse this rejection for the reasons discussed below.

Applicants respectfully submit that the combination of *Lambert* and *Zhang* suggested by the Examiner fails to disclose the elements specifically recited in Applicants' claims. For example, the *Lambert-Zhang* combination fails to disclose the elements:

- (1) "generating an expiration command at a data center manager in response to a change in the data" and "receiving the expiration command at the cache server from the data center manager" (recited in Applicants' independent Claim 1);
- (2) "receiving an expiration command from a data center manager, the expiration command generated in response to a change in the dynamic content item" (recited in Applicants' independent Claim 24, as amended); or
- (3) a "data center manager operable to receive the data change message and generate an expiration message in response to the data change message" (recited in Applicants' independent Claim 27, as amended).

The Examiner relies on *Zhang* to teach "generating an expiration command at a data center manager in response to a change in the data," "receiving an expiration command from

a data center manager," and a "data center manager operable to send the expiration message to a cache server." (Office Action, page 3, paragraph 3; page 4, paragraph 2; page 5, paragraph 2.)

Zhang discloses a cache control header that is used to enable the display of content from a cache. According to *Zhang*:

The cache control header 74 may include an expires header 76, a "post-check" header extension 78 and a "pre-check" header extension 80. As is known, the expires header 76 specifies an age, relative to a timestamp on the content (or possibly the current time), in which the content will expire, upon which validation of the content should take place.

(*Zhang*, column 6, lines 12-17.) *Zhang* also discloses "a determination is made if the requested content within the cache 70 is expired, such as by evaluating the information within the expires header 76, for example." (*Zhang*, column 9, lines 14-18.) That is, *Zhang* discloses using an expires header to determine if content has expired. The expires header of *Zhang*, however, is sent with the content, and is not generated in response to a change in the content. For at least these reasons, the *Lambert-Zhang* combination suggested by the Examiner fails to disclose the elements (1), (2), and (3) specifically recited in Applicants' independent Claims 1, 24, and 27, respectively.

Applicants' dependent claims are allowable based on their dependence on the independent claims, and further because they recite numerous additional patentable distinctions over the cited references relied on by the Examiner. Because Applicants believe they have amply demonstrated the allowability of the independent claims over the prior art, and to avoid burdening the record, Applicants have not provided detailed remarks concerning these dependent claims. Applicants, however, remain ready to provide such remarks if it becomes appropriate to do so.

Applicants respectfully request reconsideration and allowance of independent Claim Claims 1, 24, and 27 and all claims that depend on these claims.

The Examiner rejects Claims 6-8, 28, and 29 under 35 U.S.C. § 103(a) as being unpatentable over *Lambert* in view of *Zhang* and U.S. Patent No. 5,857,188 to Douglas ("*Douglas*"). Applicants respectfully traverse this rejection for the reasons discussed below.

Applicants respectfully submit that the combination of *Lambert*, *Zhang*, and *Douglas* suggested by the Examiner fails to disclose, teach, or suggest elements specifically recited in Applicants' claims. For at least the reasons provided above, the *Lambert-Zhang* combination suggested by the Examiner does not disclose, teach, or suggest the elements specifically recited in Applicants' independent claims, whether the *Lambert-Zhang* combination is considered alone or in combination with *Douglas*.

Applicants' dependent claims are allowable based on their dependence on the independent claims and further because they recite numerous additional patentable distinctions over the cited references relied on by the Examiner. Because Applicants believe they have amply demonstrated the allowability of the independent claims over the prior art, and to avoid burdening the record, Applicants have not provided detailed remarks concerning these dependent claims. Applicants, however, remain ready to provide such remarks if it becomes appropriate to do so.

Applicants respectfully request reconsideration and allowance of Claims 6-8, 28, and 29.

CONCLUSION

Applicants have made an earnest attempt to place this case in condition for allowance. For at least the foregoing reasons, Applicants respectfully request full allowance of all the pending claims.

If the Examiner believes a telephone conference would advance prosecution of this case in any way, the Examiner is invited to contact Keiko Ichiye, the Attorney for Applicants, at the Examiner's convenience at (214) 953-6494.

Although Applicants believe no fees are due, the Commissioner is hereby authorized to charge any fees or credit any overpayments to Deposit Account No. 02-0384 of Baker Botts L.L.P.

Respectfully submitted,

BAKER BOTTS L.L.P.
Attorneys for Applicants



Keiko Ichiye
Reg. No. 45,460

KI/lis

Correspondence Address:

Baker Botts L.L.P.
2001 Ross Avenue, Suite 600
Dallas, Texas 75201-2980
(214) 953-6494
Date: May 10, 2004